

12-19-03 #14 DAF

PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
1128-AL/D1

First named inventor: LINDEMANN ET AL.

Application No.: 09/707,616

Art Unit: 2697

Filed: APRIL 6, 2001

Examiner: GRAHAM, A.

Title: DIGITAL WIRELESS  
LOUDSPEAKER SYSTEM

RECEIVED  
DEC 23 2003  
OFFICE OF PETITIONS

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1330.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of AMENDMENT AND RESPONSE (identify type of reply):

☐ has been filed previously on \_\_\_\_\_.

☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

12/23/2003 AMENDAF1 00000079 09707616

☐ has been paid previously on 01 FC:1453.

1330.00 OP

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### 3. Terminal disclaimer with disclaimer fee

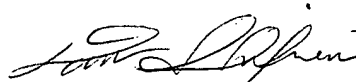
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

18 December 2003

Date



Signature

Telephone  
Number:

303.268.0066

Dan Shifrin, #34,473

Typed or printed name

1745 Shea Center Drive, Suite 330

Address

Highlands Ranch, Colorado 80129

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: POSTCARD RECEIPT

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

18 December 2003

Date



Signature

Lisa S. Susser

Type or printed name of person signing certificate



Attorney Docket: 1128-AL/D1  
Express Mail Label: EV394802117US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	LINDEMANN, ET AL.	)	EXAMINER:	GRAHAM, A.
SERIAL NUMBER:	09/707,616	)	ART UNIT:	2697
FILING DATE:	APRIL 6, 2001	)		
TITLE:	DIGITAL WIRELESS LOUDSPEAKERS	)		

Mail Stop: Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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**STATEMENT OF UNINTENTIONAL DELAY**

Dear Sir:

A search of the file jacket and docket records indicates that the Office Action mailed May 7, 2003 was not received. A copy of the docket record where the non-received Office communications would have been entered had it been received is attached hereto. The required Petition Fee of \$1330.00, a Petition for an Extension of Time to File and a Response to the Office Action are also submitted herewith. The entire delay in filing the required reply until the filing of this Petition was unintentional and the reply and this Petition were filed within a reasonable period following notification by the Patent Office of the abandonment of the present Application.

This constitutes a request for any needed extension of time. The Commissioner is hereby authorized to charge any deficiency of fees submitted herewith to be charged to Deposit Account Number 19-5117.

Respectfully Submitted,



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Dan Shifrin, #34,473  
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303.268.0066  
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cc: Leslie White

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DOCKET# 1128-AL/D1

PRINTED ON: 12/18/2003

COUNTRY	US	UNITED STATES	TITLE		PRIOR	12/3/1998
NEW/CON	DIV	SERIAL#	09/707,610	DIGITAL WIRELESS LOUDSPEAKER SYSTEM	MAIL	
RELATED	1128-AL	PATENT#			FILE	11/7/2000
TYPE	UTL	STATUS	PENDING		PUBL	
CLIENT	0000073	Cirrus	1	CREF	ISSUE	
AGENT				AREF	EXP	12/1/2019
					1ST	12/1/1999

INVENTORS
John Laurence Melanson
Eric Lindemann
James M. Kates
Jason L. Carlson

ASSIGNEES
Cirrus Logic

PRIOR APPLICATIONS					
REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTION	TYPE
1128-AL	US	09/452,904	12/1/1999	DIGITAL WIRELESS LOUDSPEAKER SYSTEM	APPL

USER-DEFINABLE FIELDS		PATENT FIELDS	
RL/FRM		SMALL ENTITY	ART UNIT
CLAIMS		CLAIMS	EXAMINER
TXT3		PUBLICATION#	CONFIRM#

P00832US02 ENTERED 7/29/2002 MODIFIED 12/18/2002 BY TEC ATTORNEYS DAS / DAS / \*\*\*